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Filing date: **12/09/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91195509
Party	Plaintiff Denise Snacks, Inc., Denise Distribution Corp.
Correspondence Address	BRUCE W. BABER KING & SPALDING LLP 1180 PEACHTREE STREET ATLANTA, GA 30309 UNITED STATES bbaber@kslaw.com, ebrown@kslaw.com
Submission	Other Motions/Papers
Filer's Name	Bruce W. Baber
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Date	12/09/2010
Attachments	Notice of Filing Amended Opposition (DENISE SNACKS).pdf (3 pages)(10528 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DENISE SNACKS, INC. and)	
DENISE DISTRIBUTION)	
CORPORATION,)	OPPOSITION
)	
Opposers,)	NO. 91195509
)	
v.)	
)	
THE INTERNATIONAL GROUP, INC.,)	
)	
Applicant.)	

NOTICE OF FILING AMENDED OPPOSITION

In accordance with the Order entered in this matter on November 9, 2010, Opposers DENISE SNACKS, INC. and DENISE DISTRIBUTION CORPORATION have filed concurrently herewith an Amended Opposition in this matter.

The Amended Opposition filed concurrently herewith does not include paragraph 12 of the Opposition filed herein on June 30, 2010, which raised an issue of fraud that was addressed by the Board in its November 9, 2010 Order. While Opposers continue to believe that applicant The International Group, Inc. ("Applicant") and/or its attorney committed fraud in connection with the application at issue, Opposers recognize that the facts relating to the preparation and filing of the application and relating to the intent of Applicant and its attorney who signed the application are within Applicant's control. Opposers therefore believe it is appropriate to proceed with discovery in this matter at this time rather than re-plead the fraud claim and likely be required to engage in additional motion practice that will only further delay the resolution of this matter. In

view of the above, Opposers hereby withdraw their claim of fraud without prejudice at this time.

Opposers reserve the right to seek leave to amend the opposition at a later date, to assert a claim of fraud or such other additional grounds for opposition as may be appropriate based on the facts learned through discovery.

Respectfully submitted, this 9th day of December, 2010.

KING & SPALDING LLP

/Bruce W. Baber/

Bruce W. Baber
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Attorneys for Opposers
DENISE SNACKS, INC. and
DENISE DISTRIBUTION
CORPORATION

CERTIFICATE OF SERVICE

This is to certify that I have this day served the foregoing Notice Of Filing Amended Opposition on Applicant, by causing a true and correct copy thereof to be deposited in the United States Mail, postage prepaid, addressed to the attorney of record for Applicant as follows:

Mr. Harry Schochat
Law Office of Harry Schochat
8 Lunar Drive
Woodbridge, CT 06525

This 9th day of December, 2010.

/Bruce W. Baber/

Bruce W. Baber